



General Assembly

February Session, 2002

Amendment

LCO No. 4384

HB0504604384HD0

Offered by:

REP. ORANGE, 48th Dist.

SEN. FINCH, 22nd Dist.

REP. JARMOC, 59th Dist.

REP. COLLINS, 117th Dist.

REP. MORDASKY, 52nd Dist.

To: Subst. House Bill No. 5046

File No. 459

Cal. No. 296

**"AN ACT CONCERNING FEES FOR THE DEPARTMENT OF
ENVIRONMENTAL PROTECTION'S BUREAU OF NATURAL
RESOURCES."**

1 After line 808, insert the following and renumber the remaining
2 section accordingly:

3 "Sec. 20. (NEW) (*Effective October 1, 2002*) (a) No person shall hunt,
4 pursue, wound or kill any turkey or sell or offer for sale or have in
5 possession the flesh of any turkey captured or killed in this state, or
6 have in possession the flesh of any turkey from any other state or
7 country unless it is properly tagged as required by such state or
8 country except as provided by the terms of chapter 490 of the general
9 statutes or regulations adopted pursuant thereto, and except that any
10 landowner or primary lessee of land owned by such landowner or the
11 husband or wife or any lineal descendant of such landowner or lessee

12 or any designated agent of such landowner or lessee may kill turkeys
13 with a shotgun, rifle or bow and arrow provided a damage permit has
14 first been obtained from the commissioner and such person has not
15 been convicted for any violation of section 26-82, 26-85, 26-86a, 26-86b
16 or 26-90 of the general statutes or subsection (b) of section 26-86a-2 of
17 the regulations of Connecticut state agencies within three years
18 preceding the date of application. Upon the receipt of an application,
19 on forms provided by the commissioner and containing such
20 information as said commissioner may require, from any landowner
21 who has or whose primary lessee has an actual or potential gross
22 annual income of twenty-five hundred dollars or more from the
23 commercial cultivated production of grain, forage, fruit, vegetables,
24 flowers, ornamental plants or Christmas trees and who is experiencing
25 an actual or potential loss of income because of severe damage by
26 turkeys, the commissioner shall issue not more than twelve damage
27 permits without fee to such landowner or the primary lessee of such
28 landowner, or the wife, husband, lineal descendant or designated
29 agent of such landowner or lessee. The application shall be notarized
30 and signed by all landowners or by the landowner or a lessee to whom
31 a farmer tax exemption permit has been issued pursuant to subsection
32 (63) of section 12-412 of the general statutes, as amended. Such damage
33 permit shall be valid through November thirtieth of the year in which
34 it is issued and may specify the hunting implement or shot size or both
35 which shall be used to take such turkey. The commissioner may at any
36 time revoke such permit for violation of any provision of this section
37 or for violation of any regulation pursuant thereto or upon the request
38 of the applicant. The commissioner may require notification as
39 specified on such permit prior to its use. Any turkey killed in
40 accordance with the provisions of this section shall be the property of
41 the owner of the land upon which the same has been killed, but shall
42 not be sold, bartered, traded or offered for sale, and the person who
43 kills any such turkey shall tag and report each turkey killed, as
44 provided in section 26-86b of the general statutes. Upon receipt of the
45 report required by section 26-86b of the general statutes, the
46 commissioner shall issue an additional damage permit to the person

47 making such report. Any turkey killed otherwise than under the
48 conditions provided for in chapter 490 of the general statutes or
49 regulations adopted pursuant thereto shall remain the property of the
50 state and may be disposed of by the commissioner at the
51 commissioner's discretion to any state institution or may be sold and
52 the proceeds of such sale shall be remitted to the State Treasurer, who
53 shall apply the same to the General Fund, and no person, except the
54 commissioner, shall retail, sell or offer for sale the whole or any part of
55 any such turkey. No person shall be a designated agent of more than
56 one landowner or primary lessee in any calendar year. No person shall
57 make, set or use any trap, snare, bait or other device for the purpose of
58 taking, injuring or killing any turkey. No permit shall be issued when,
59 in the opinion of the commissioner, the public safety may be
60 jeopardized.

61 (b) Any person who violates any provision of this section shall be
62 fined not less than two hundred dollars nor more than five hundred
63 dollars or imprisoned not less than thirty days nor more than six
64 months or shall be both fined and imprisoned, for the first offense, and
65 for each subsequent offense shall be fined not less than two hundred
66 dollars nor more than one thousand dollars or imprisoned not more
67 than one year or shall be both fined and imprisoned."